

# CITY COUNCIL REPORT



Meeting Date: October 7, 2014  
General Plan Element: *Land Use*  
General Plan Goal: *Support a diversity of businesses*

## ACTION

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**Beer and Wine Store Liquor License Request for Jacksons #806 87-LL-2014.** To consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 10 (beer and wine store) State liquor license for an existing location and new owner.

## OWNER

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Pac West Energy

## APPLICANT CONTACT

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Heather Ann Hendon

## LOCATION

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15515 N Scottsdale Rd

## BACKGROUND

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This request is for a Series 10 (beer and wine) liquor license. This has been a licensed location since 1998, most recently operating with liquor as Danny's Car Wash.

The zoning for this site is Highway Commercial (C-3), which allows convenience stores. This establishment is 4,120 sq. ft.

## APPLICANT'S PROPOSAL

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The applicant is seeking a favorable recommendation on a Series 10 (beer and wine store) liquor license. This allows a liquor store retailer to sell beer and wine liquors, only in the original package, to be taken away from the premises of the retailer and consumed off the premises.

## **PETITIONS FROM PERSONS IN CLOSE PROXIMITY**

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The applicant has maintained the required posting notice for the State mandated 20-day period. No petitions or protests pursuant to A.R.S. 4-201.b. were received during the 20 (twenty) day posting period.

## **OTHER LICENSES & PERMITS**

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### **Financial Management**

Revenue Collection has reported that the applicant has met City licensing requirements and all fees have been paid.

Spirituous Liquor Tax Permit # Pending.

Scottsdale Transaction Privilege Sales Tax License # Pending.

## **IMPACT ANALYSIS**

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### **Current Planning Department.**

There will not be any significant changes to the floor plan.

### **Public Safety Division.**

**Police Department:** Recommendation No Opposition

**Major life safety issues:** None noted.

**Code Enforcement:** There are no current cases of code violations at this time relevant to the liquor license.

## **STATE GUIDELINES FOR CONSIDERING AN APPLICATION**

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### **A.R.S. Section 4-203.A Granting a License for a New Owner for a Certain Location.**

A spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant.

## **COUNCIL OPTIONS & STAFF RECOMMENDATION**

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### **Council Options**

The City Council has the option of recommending approval, denial or no recommendation to the Arizona Department of Liquor Licenses and Control.

### **Staff Recommendation**

The City of Scottsdale staff has conducted a review and advises that the license request meets the criteria imposed for determining the capability, qualifications and reliability of the applicant.

### **Next Steps**

The City Council's recommendation of approval, denial or no recommendation will be forwarded to the Department of Liquor Licenses and Control for their consideration. If the application is

approved by the Department of Liquor Licenses and Control, the applicant should receive their license from the State within 105 days of original application.

## RESPONSIBLE DEPARTMENT(S)

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Teri Gleason, Planning Assistant, [tgleason@scottsdaleaz.gov](mailto:tgleason@scottsdaleaz.gov)  
Planning and Development Services

James Wasson, Lieutenant, Special Assignment, [jwasson@scottsdaleaz.gov](mailto:jwasson@scottsdaleaz.gov)  
Public Safety Division

Raun Keagy, Neighborhood Planning Director, [rkeagy@scottsdaleaz.gov](mailto:rkeagy@scottsdaleaz.gov)  
Planning and Development Services

## APPROVED BY

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Tim Curtis, AICP, Current Planning Director  
312-4210 [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)

 9/9/2014

Randy Grant, Director, Planning and Development Services  
312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

 9/9/14

## ATTACHMENTS

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- #1: Aerial Map
- #2: Close-up Aerial Map
- #3: City of Scottsdale Applicant Questionnaire
- #4: State Application



**87-LL-2014**

**Jacksons #806**

**ATTACHMENT #1**





Q.S.  
35-45

G.I.S. ORTHOPHOTO 2013

**87-LL-2014**

**Jacksons #806**

ATTACHMENT #2



# Liquor License Questionnaire

Packaged Retail, Wholesale, Manufacturing (Series 1, 2, 4, 9, 10)

Please complete all questions and return within 3 business days.

Name of Business: Jacksons #806

Business Address: 15515 N. Scottsdale

Type of Business (packaged retail, wholesale, manufacturing) Convenience store

Total Gross Square Footage of Establishment: 3,500 SF

Was liquor sold at this location prior to this application? ☒ Yes ☐ No

If yes, what type of license? Series 10

Is this business currently open? ☒ Yes ☐ No

If yes, is this business operating with an interim license? ☒ Yes ☐ No

If no, what is the proposed opening date? \_\_\_\_\_

Is this business under construction? ☐ Yes ☒ No

Is this being remodeled? ☐ Yes ☒ No

Does this business have a drive thru window? ☐ Yes ☒ No

## Applicant Narrative:

ARS 4-201-G: In all proceedings before the governing body of a city or town, the Board of Supervisors of a County or the Board, the applicant bears the burden of showing that the public convenience requires and that the best interest of the community will be substantially served by the issuance of this license.

1. I have the capability, qualifications and reliability to hold a liquor license because:

Jacksons Food Stores have been in operations since 1975 holding Alcohol License

2. The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:

This site had a liquor license with prior ownership and it would be un-convenience for customers not to have beer/wine to purchase

3. Please describe your business:

Convenience store with Gas, Lube/Oil Car Wash

## Planning and Development Services

7447 E. Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-7000 • Fax: 480-312-7088



# Liquor License Questionnaire

Packaged Retail, Wholesale, Manufacturing (Series 1, 2, 4, 9,10)

Please complete all questions and return within 3 business days.

The City's forwarding of a recommendation to the AZ Department of Liquor Licenses and Control does not waive and is not a substitute for the Licensee's obligation to comply with all state, local and federal laws, policies and regulations applicable to the license. The Recommendation is not a permit or regulatory approval to hold any events or construct or demolish any improvements. Zoning processes, building permit processes, and similar regulatory requirements may apply to Licensee's contemplated improvements and are completely separate from the Recommendation. Licensee shall be responsible to, separate and apart from this Recommendation, directly obtain all necessary permits and approvals from any and all governmental or other entities including the City's having standing or jurisdiction over the subject areas. For more information regarding zoning processes, building permit processes, and similar regulatory requirements and approvals please call 480-312-2611.

Print Name:

Cory Jackson

Signature:

[Handwritten Signature]

Date:

8/26/14

Submit

## Planning and Development Services

7447 E. Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-7000 • Fax: 480-312-7088

# Arizona Department of Liquor Licenses and Control

800 West Washington, 5th Floor

Phoenix, Arizona 85007

www.azliquor.gov

602-542-5141

## APPLICATION FOR LIQUOR LICENSE

TYPE OR PRINT WITH BLACK INK

Notice: Effective Nov. 1, 1997, All Owners, Agents, Partners, Stockholders, Officers, or Managers actively involved in the day to day operations of the business must attend a Department approved liquor law training course or provide proof of attendance within the last five years. See page 5 of the Liquor Licensing requirements.

### SECTION 1 This application is for a:

- ☐ MORE THAN ONE LICENSE
- ☒ INTERIM PERMIT *Complete Section 5*
- ☒ NEW LICENSE *Complete Sections 2, 3, 4, 13, 14, 15, 16*
- ☐ PERSON TRANSFER (Bars & Liquor Stores ONLY)  
*Complete Sections 2, 3, 4, 11, 13, 15, 16*
- ☐ LOCATION TRANSFER (Bars and Liquor Stores ONLY)  
*Complete Sections 2, 3, 4, 12, 13, 15, 16*
- ☐ PROBATE/WILL ASSIGNMENT/DIVORCE/DEGREE  
*Complete Sections 2, 3, 4, 9, 13, 16 (fee not required)*
- ☐ GOVERNMENT *Complete Sections 2, 3, 4, 10, 13, 15, 16*

### SECTION 2 Type of ownership:

- ☐ J.T.W.R.O.S. *Complete Section 6*
- ☐ INDIVIDUAL *Complete Section 6*
- ☐ PARTNERSHIP *Complete Section 6*
- ☐ CORPORATION *Complete Section 7*
- ☒ LIMITED LIABILITY CO. *Complete Section 7*
- ☐ CLUB *Complete Section 8*
- ☐ GOVERNMENT *Complete Section 10*
- ☐ TRUST *Complete Section 6*
- ☐ OTHER (Explain) \_\_\_\_\_

### SECTION 3 Type of license and fees LICENSE #(s):

1. Type of License(s): Series 10 Liquor License

2. Total fees attached: \$

Department Use Only

200-

**APPLICATION FEE AND INTERIM PERMIT FEES (IF APPLICABLE) ARE NOT REFUNDABLE.**

The fees allowed under A.R.S. 44-6852 will be charged for all dishonored checks.

### SECTION 4 Applicant

- ☐ Mr. Hendon ☐ Ms. Heather Anne
1. Owner/Agent's Name: (Insert one name ONLY to appear on license) Last First Middle
2. Corp./Partnership/L.L.C.: Pac West Energy, LLC  
(Exactly as it appears on Articles of Inc. or Articles of Org.)
3. Business Name: Jacksons #806  
(Exactly as it appears on the exterior of premises)
4. Principal Street Location: 15515 N. Scottsdale Rd Scottsdale Maricopa 85260  
(Do not use PO Box Number) City County Zip
5. Business Phone: 480-348-1909 Daytime Phone: 208-884-6658 Email: cindy.burnett@jackson.com
6. Is the business located within the incorporated limits of the above city or town? ☒ YES ☐ NO
7. Mailing Address: 3450 Commercial Ct Meridian ID 83642  
City State Zip
8. Price paid for license only bar, beer and wine, or liquor store: Type \_\_\_\_\_ \$ \_\_\_\_\_ Type \_\_\_\_\_ \$ \_\_\_\_\_

### DEPARTMENT USE ONLY

Fees: 100- 100- 100- 200-

Application Interim Permit Site Inspection Finger Prints \$

**TOTAL OF ALL FEES**

Is Arizona Statement of Citizenship & Alien Status For State Benefits complete? ☒ YES ☐ NO

Accepted by: JB Date: 09-19-14 Lic. # 10076573



**SECTION 5 Interim Permit:**

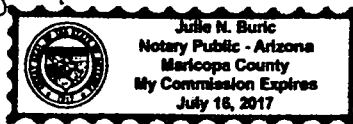
1. If you intend to operate business when your application is pending you will need an Interim Permit pursuant to A.R.S. 4-203.01.
2. There **MUST** be a valid license of the same type you are applying for currently issued to the location.
3. Enter the license number currently at the location. 10075580
4. Is the license currently in use? ☒ YES ☐ NO If no, how long has it been out of use? \_\_\_\_\_

ATTACH THE LICENSE CURRENTLY ISSUED AT THE LOCATION TO THIS APPLICATION.

I, Daniel L Henson<sup>Lewis</sup>, declare that I am the CURRENT OWNER, AGENT, CLUB MEMBER, PARTNER, MEMBER, STOCKHOLDER, OR LICENSEE (circle the title which applies) of the stated license and location.

X [Signature]  
(Signature)

My commission expires on: July 16, 2017



State of Arizona County of Maricopa  
The foregoing instrument was acknowledged before me this 18 day of August, 2014  
Day Month Year

[Signature]  
(Signature of NOTARY PUBLIC)

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**SECTION 6 Individual or Partnership Owners:**

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$22 PROCESSING FEE FOR EACH CARD.

1. Individual:

Last	First	Middle	% Owned	Mailing Address	City	State	Zip

Partnership Name: (Only the first partner listed will appear on license) \_\_\_\_\_

General-Limited	Last	First	Middle	% Owned	Mailing Address	City	State	Zip
<input type="checkbox"/>	<input type="checkbox"/>							
<input type="checkbox"/>	<input type="checkbox"/>							
<input type="checkbox"/>	<input type="checkbox"/>							
<input type="checkbox"/>	<input type="checkbox"/>							

) Y R A S S E C E N F I T

2. Is any person, other than the above, going to share in the profits/losses of the business? ☐ YES ☐ NO  
If Yes, give name, current address and telephone number of the person(s). Use additional sheets if necessary.

Last	First	Middle	Mailing Address	City, State, Zip	Telephone#

STATE OF ARIZONA  
DEPARTMENT OF LIQUOR LICENSES  
AND CONTROL  
ALCOHOLIC BEVERAGE LICENSE

License 10075580

Issue Date: 6/19/2008

Expiration Date: 12/31/2014

Issued To:

DANIELLE SUE JABALERA, Agent  
DANNY'S SCOTTSDALE & TB LLC, Owner

Beer & Wine Store

Mailing Address:

DANIELLE SUE JABALERA  
DANNY'S SCOTTSDALE & TB LLC  
DANNY'S SCOTTSDALE & TB  
15880 N GREENWAY HAYDEN LOOP # 160  
SCOTTSDALE, AZ 85260

Location:

DANNY'S SCOTTSDALE & TB  
15515 N SCOTTSDALE RD  
SCOTTSDALE, AZ 85260

EXP



12/31/2014

POST THIS LICENSE IN A CONSPICUOUS PLACE

**SECTION 7 Corporation/Limited Liability Co.:**

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$22 PROCESSING FEE FOR EACH CARD.

☐ CORPORATION Complete questions 1, 2, 3, 5, 6, 7, and 8.

☒ L.L.C. Complete 1, 2, 4, 5, 6, 7, and 8.

1. Name of Corporation/L.L.C.: PacWest Energy LL  
(Exactly as it appears on Articles of Incorporation or Articles of Organization)

2. Date Incorporated/Organized: 1-22-2008 State where Incorporated/Organized: deleware

3. AZ Corporation Commission File No.: \_\_\_\_\_ Date authorized to do business in AZ: \_\_\_\_\_

4. AZ L.L.C. File No: F-194511-4 Date authorized to do business in AZ: 7-29-2014

5. Is Corp./L.L.C. Non-profit? ☐ YES ☒ NO

6. List all directors, officers and members in Corporation/L.L.C.:

Last	First	Middle	Title	Mailing Address	City	State	Zip
Jacksons	Food	Stores, Inc	member	3450 Commercial Ct	Meridian,	ID	83642
Equilon	Enterprises,	LLC	member	dba Shell Oil Products	910 Louisiana St	US	
				Houston, TX	77002		

(ATTACH ADDITIONAL SHEET IF NECESSARY)

7. List stockholders who are controlling persons or who own 10% or more:

Last	First	Middle	% Owned	Mailing Address	City	State	Zip
Jacksons	Food	Stores, Inc	50%	3450 Commercial Ct	Meridian,	ID	83642
Equilon	Enterprises,	LLC	50%	910 Louisiana St	Houston,	TX	77002

(ATTACH ADDITIONAL SHEET IF NECESSARY)

8. If the corporation/L.L.C. is owned by another entity, attach a percentage of ownership chart, and a director/officer/member disclosure for the parent entity. Attach additional sheets as needed in order to disclose personal identities of all owners.

**SECTION 8 Club Applicants:**

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$22 PROCESSING FEE FOR EACH CARD.

1. Name of Club: \_\_\_\_\_ Date Chartered: \_\_\_\_\_  
(Exactly as it appears on Club Charter or Bylaws) (Attach a copy of Club Charter or Bylaws)

2. Is club non-profit? ☐ YES ☐ NO

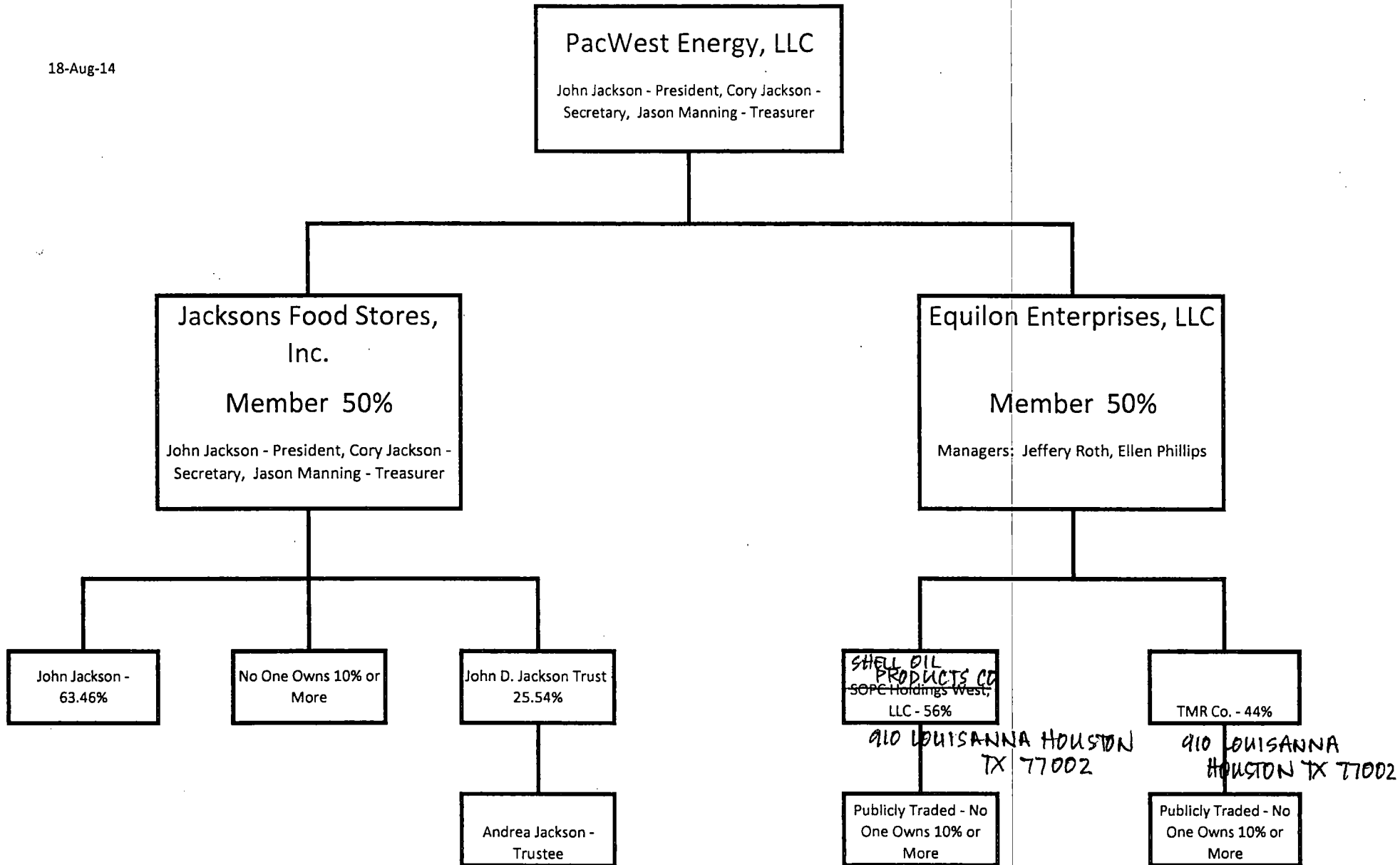
3. List officer and directors:

Last	First	Middle	Title	Mailing Address	City	State	Zip

(ATTACH ADDITIONAL SHEET IF NECESSARY)

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18-Aug-14



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**Jacksons Food Stores, Inc**

Established in 1975

Was incorporated in Idaho in 1981

Was incorporated in Nevada on October 1995

**JDJ Trust Agreement** was formed on November 17<sup>th</sup> of 2011

(See attached documents)

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**JACKSONS FOOD STORES, INC.**

**Consent Resolution of Director**

**in Lieu of Special Meeting**

The undersigned, being the sole member of the Board of Directors of Jacksons Food Stores, Inc., a Nevada corporation, hereinafter referred to as the "Corporation," does hereby consent to, adopt and approve in writing, in accordance with the provisions of Nevada Revised Statutes 78.315 and in accordance with the constituent documents of the Corporation, the following corporate actions:

WHEREAS, the undersigned desires to appoint officers of the Corporation;

WHEREAS, the undersigned desires to confirm and ratify all acts taken for the period from January 11<sup>th</sup>, 2012 through August 15<sup>th</sup>, 2012 by the directors and operating officers of Corporation.

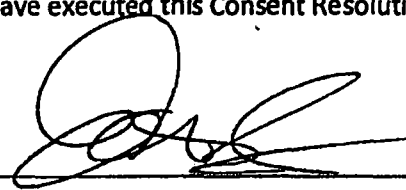
NOW THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. **RESOLVED** the following individuals are appointed as Officers of the Corporation:

<u>Name</u>	<u>Office</u>
John D. Jackson	President
Cory Jackson	Secretary
Jason Manning	Treasurer

2. **RESOLVED** that the undersigned ratifies and confirms all actions taken by the Corporation during the period from January 11<sup>th</sup>, 2012 through August 15<sup>th</sup>, 2012.

IN WITNESS WHEREOF, the undersigned have executed this Consent Resolution of Director to be effective as the 15<sup>th</sup> day of August, 2012.

  
\_\_\_\_\_  
John D. Jackson  
"Director"

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Jacksons Food Stores  
Stock Summary  
November 17, 2011

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	Total Shares Owned	Total Ownership Percentage
John	317,352.4240	63.46%
Jeff	27,505.5000	5.50%
Cory	27,505.5000	5.50%
JDJ Trust	127,736.5760	25.54%
Total	500,100.0000	100.00%

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## JDJ Trust Agreement

This JDJ Trust Agreement is dated to be effective as of the 17<sup>th</sup> day of November, 2011 (hereinafter referred to as the "Agreement"), by and between John D. Jackson (hereinafter referred to as the "Grantor"); Andrea Jackson (hereinafter referred to as the "Individual Trustee"); and U.S. Bank, N.A. (hereinafter referred to as the "Independent Trustee") (the Individual Trustee and Independent Trustee are sometimes collectively referred to as the "trustee").

### WITNESSETH:

WHEREAS, the Grantor desires to create certain trusts effective as of the date first above written and the Individual Trustee and the Independent Trustee agree to act as the trustees thereof;

NOW, THEREFORE, the Grantor, Individual Trustee and Independent Trustee agree as follows:

### ARTICLE I

#### STATEMENT OF FAMILY

The Grantor is not currently married. The Grantor currently has two (2) children who are both adults: (i) Cory Jackson ("Cory") and (ii) Jeff Jackson ("Jeff"). The Grantor currently has no other living or deceased children. The Grantor currently has three (3) grandchildren: (i) Dallas J. Jackson, (ii) Taylor Jackson and (iii) Kaitlyn Jackson.

### ARTICLE II

#### INITIAL TRUSTS AND ALLOCATIONS

A. *Creation of Initial Trusts.* The Individual Trustee shall create two (2) separate trusts as follows:

1. *GST Exempt Trust.* Such trustee shall create the JDJ GT Trust, to which the Grantor hereby transfers the property described in the attached Schedule "A." The JDJ GT Trust shall hereinafter sometimes be referred to as the "GST Exempt Trust." The GST Exempt Trust shall be administered and disposed of as a "GST Exempt Trust" as directed in the Article titled "GST Exempt Trusts and Non-GST Exempt Trusts." The Grantor intends that the GST Exempt Trust and any trusts created therefrom shall at all times be exempt from "generation-skipping tax" (as hereinafter defined in the Article titled "Definitions").

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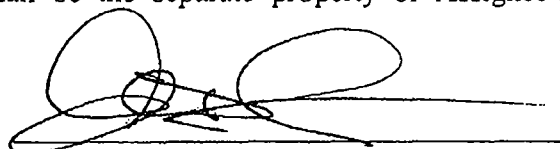
## Irrevocable Stock Power

FOR VALUE RECEIVED, the undersigned does hereby assign and transfer to Andrea Jackson, as Individual Trustee of the JDJ GT Trust created under the JDJ Trust Agreement dated November 17, 2011 ("Assignee"), One Hundred Two Thousand Eight and Two  
Hundred Eighty Eight One Thousandths (102,008.288)  
non-voting shares of stock of Jacksons Food Stores, Inc., a Nevada corporation (the "Company"), represented by Certificate No. 1 <sup>Non-Voting</sup> standing in the name of the undersigned on the books of the Company.

The undersigned does hereby irrevocably constitute and appoint the Secretary of the Company as attorney to transfer the said shares on the books of the Company, with full power of substitution in the premises. This Irrevocable Stock Power is given pursuant to a Securities Contribution and Purchase Agreement dated as of November 17, 2011 and is subject to the terms of that agreement.

The foregoing shares of stock are conveyed to Assignee as separate property, and all income, gains and appreciation of the shares shall be the separate property of Assignee's distributees, beneficiaries and assigns.

Dated: November 17, 2011

  
John D. Jackson



### Arizona – Liquor License

#### Equilon's Interest

Equilon, a wholly owned subsidiary of Shell Oil Company, is held directly through two holding companies as follows:

SOPC Holdings West LLC	56.0%
TMR Company	44.0%
	100.0%

SOPC Holdings West LLC has the following Managers:

Jeffrey Roth	Manager
Elen Phillips	Manager

TMR Company is a Delaware corporation. TMR Company changed its name from Texaco Refining and Marketing Inc, which was incorporated in 1989, to TMR Company in March 2002. TMR Company is wholly owned by Shell Oil Company. Equilon has the following Managers:

Jeffrey Roth	Manager -Appointed 2012
Elen Phillips	Manager -Appointed 2013

Russell Caplan	R. Caplan served as Vice President – Sales and Marketing of Equilon from 9/1/2001 to 12/31/2004. Retired
Robert Routs	R. J. Routs served as Chief Executive Officer of Equilon from 4/1/2000 – 11/1/2002 and as President and Chief Executive Officer from 11/1/2002 – 6/16/2003. Retired
David Kinnan	D. E. Kinnan Served as General Counsel & Secretary from 1/15/1998 - 4/16/2003 and as General Counsel from 4/16/2003 – 3/1/2004. Retired

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at Mesothelioma.com  
Resources for Patients and their Families

CALL US TOLL FREE  
1-800-336-0086

## Texaco Oil Refinery Washington

The Texaco Oil Refinery (since renamed several times and currently the Shell Puget Sound Refinery) is an oil refinery on Fidalgo Bay in the Puget Sound at Anacortes, Washington. The facility opened in 1958 and continues to operate today.

### History and Facts

The refinery was opened by Texaco (the Texas Company) in 1958 with a total production capacity of 45,000 barrels of crude oil daily. Texaco operated the refinery for 40 years, undertaking several modernizations that resulted in a current refining capacity of 145,000 barrels of crude daily. The facility currently employs approximately 400 employees and 250 contract workers.

### Mergers and Name Changes

In January 1998, Texaco and Shell created a joint venture called Equilon. Equilon joined together the refining operations of both Texaco and Shell on the West Coast, and also merged transportation, lubricants and retail operations. During this time, the refinery was renamed Equilon Oil Refinery.

In October 2001, a new merger took place - this time between Chevron (a company formerly known as Standard Oil of California) and Texaco. This newly merged company was called ChevronTexaco, and it ran afoul of federal regulators. Because Chevron had a strong presence on the US West Coast, the new merger would be considered a monopoly, so ChevronTexaco was forced to divest its interests in Equilon. Shell, the Equilon partner company, bought back Texaco's interest in Equilon, including the Equilon Refinery at Anacortes.

The refinery was renamed the Shell Puget Sound Refinery.

One interesting thing to note is that there are two refineries on March's Point. The former Texaco Refinery (now Shell Puget Sound Refinery) and the Tesoro Refinery, which was formerly the Shell Refinery. After all of the mergers and sales that occurred between Chevron, Texaco, Shell and Equilon, to an unformed observer, the result was simply that the Shell Oil sign moved from one refinery to the refinery next door.

### Chemical Plants and Asbestos

During the majority of the 20th century, whenever combustion or excessive heat was a concern, various forms of asbestos were chosen as a building material. As a result, it was usual for chemical plants like the Texaco Oil Refinery in Anacortes to be made with materials made with asbestos. One of the other properties of certain types of the fibrous mineral is that they resist chemical reactions. As a result, asbestos was utilized in protective clothing, lab equipment and bench and counter tops.

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There is little question that asbestos was superb at safeguarding against high heat and combustion. This strength, however, came with a terrible cost in terms of human health.

Amosite was often the variety of asbestos utilized in such locations. Amosite is one of the amphibole varieties of asbestos and is commonly considered more apt to result in disease than serpentine asbestos. This amosite, in the form of asbestos-containing transite, was utilized in laboratories and chemical plants throughout the US for many years before it was banned for construction purposes in the 1970s.

Like cement, asbestos transite could be molded into working surfaces, laminated and sprayed onto ductwork and pipes. This form of asbestos did not pose a health hazard so long as it stayed solid. With age, however, transite with asbestos-containing material (ACM) grows prone to becoming powdery, allowing tiny fibers to float into the atmosphere. When it is in this state, it is considered friable, a term that is used for material that is easy to pulverize. Industrial kilns also often were constructed with friable asbestos in insulation linings.

### Why Is Friable Asbestos Dangerous?

When friable, asbestos particles are easily released into the air. Medical conditions such as cancer and asbestosis are known to result from breathing asbestos. In addition, exposure to asbestos is known to be the leading causal factor of mesothelioma, a rare but almost always deadly disease affecting the mesothelium, which is the tissue that lies between the lungs and the chest cavity. Swallowing asbestos fibers, which may occur when those tiny fibers enter the air and fall on food or drinks, can result in pericardial or peritoneal mesothelioma.

Increased pressure from the press and researchers led to laws regulating the use of asbestos. The use of asbestos was much more common, however, when the Texaco Oil Refinery was built. And even now, asbestos from long ago can cause problems when it is not properly contained during demolition and remodeling jobs.

### The Hidden Hazard of Asbestos

Unlike most workplace injuries, which are readily observed and known about soon after the incident, asbestos cancer may take many, many years to develop. It can also be hard to identify asbestos-related ailments because the symptoms are similar to the symptoms of other, less serious disorders. Accordingly, it is very important for folks who worked in or spent much time around sites like the Anacortes Texaco Oil Refinery to tell their health care professionals about the possibility of asbestos exposure. Experimental therapies for mesothelioma are being discovered, and early detection gives the patient the highest chance of overcoming the previously always-fatal disease.

### Sources

Shell Puget Sound - Who We Are  
<http://www.piersystem.com/...>

Texaco - About Texaco: Facts and Figures  
[http://www.texaco.com/about/facts\\_figures.asp](http://www.texaco.com/about/facts_figures.asp)

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University of Wisconsin - Asbestos Containing Material (ACM) - Laboratories and Shops

<http://www.uwm.edu/Dept/EHSRM/ASB/acmimages3.html>

University of Wisconsin - Asbestos Disposal

<http://www.uwm.edu/Dept/EHSRM/HAZEXCEPTIONS/a.html>

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Call Us Toll Free **1-800-336-0086**

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## Company File - Company (inc. Incorporated JV)

Registered Name: TMR COMPANY

GEI%: 100.00

Company No: 7719

### Registered Office:

910 Louisiana

Houston  
TX 77002  
USA

### Head Office Address:

910 Louisiana

Houston  
TX 77002  
USA

Country Of Incorporation: USA

Date Of Incorporation: 28 Dec 1989

No. of Directors Max: 2 Min: 2 Quorum: 2

Common Name/Abbreviated TMR  
Name:

JV: NO

Operator: N/A

Company Status: Active Live

Status Since: 28 Dec 1989

Registered Details: 76-0294760

Accounting Method: Fully Consolidated

Entity Type: Corporation

Operatorship: N/A

Controlling Interest: YES

### Area Of Operation

AoO No	AoO Description
A54802	AOO54802 - SOC-USA-Motiva EAI-Primary
A54099	AOO54099 - SOC-USA-Equilon-Primary

Businesses	Sub-businesses	Countries of Operation
Downstream	Primary Service	USA

### Authorised Capital

Currency	Capital Type	Code	Voting	Issue Date	No. Shares	Value	Amount
U.S. DOLLARS	Common (Voting)	CMV	Y	13 Feb 2002	10	100.00	1,000.00
Total:					10		1,000.00

### Issued Capital and Shareholding

Type Name	Code	Voting	Issue Date	No. Shares	Value	Amount	Beneficiary
G SHELL OIL COMPANY	CMV	Y	13 Feb 2002	10	U.S. DOLLARS	100.00	1,000.00
(G=Group; N=Non-Group; P=Personal)				Total:	10	1,000.00	

### Company Officials

Position	Name	Date Appointed	Shell Employee
Director	Jeffrey Roth	01 Nov 2012	Y

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Director	Elen Phillips	01 Jan 2013	Y
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#### Historic Names

Historic Name	Date Changed
TEXACO REFINING AND MARKETING INC	13 Mar 2002

#### Notes

<p>For Admin Use: 08/07/2014 - GSC34480050 - Officials</p> <p>TMR Company is a holding company formed to hold Shell's interest in Motiva Enterprises LLC and Equilon Enterprises LLC from the original partnership with Texaco Refining and Marketing. Formerly engaged in the refining and marketing of oil products, but not currently involved in this function.</p> <p>Purpose of business: The refining and marketing of oil products in the Western and mid-Western US, the trading, supply, transportation, and lubricant business throughout the US and the provision of services and activities necessary in connection therewith.</p> <p>EFFECTIVE DECEMBER 31, 2002, TGEN COMPANY AND TRME COMPANY MERGED INTO TMR COMPANY</p> <p>THE NAME OF THE COMPANY WAS CHANGED FROM TEXACO REFINING AND MAREKTING INC TO TMR COMPANY ON MARCH 13, 2002</p> <p>THIS COMPANY WAS ACQUIRED FROM CHEVRON TEXACO ON FEBRUARY 13, 2002.</p>
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**SECTION 9** Probate, Will Assignment or Divorce Decree of an existing Bar or Liquor Store License:

1. Current Licensee's Name: \_\_\_\_\_  
(Exactly as it appears on license) Last First Middle
2. Assignee's Name: \_\_\_\_\_  
Last First Middle
3. License Type: \_\_\_\_\_ License Number: \_\_\_\_\_ Date of Last Renewal: \_\_\_\_\_
4. ATTACH TO THIS APPLICATION A CERTIFIED COPY OF THE WILL, PROBATE DISTRIBUTION INSTRUMENT, OR DIVORCE DECREE THAT SPECIFICALLY DISTRIBUTES THE LIQUOR LICENSE TO THE ASSIGNEE TO THIS APPLICATION.

**SECTION 10** Government: (for cities, towns, or counties only)

1. Governmental Entity: \_\_\_\_\_
2. Person/designee: \_\_\_\_\_  
Last First Middle Contact Phone Number

**A SEPARATE LICENSE MUST BE OBTAINED FOR EACH PREMISES FROM WHICH SPIRITUOUS LIQUOR IS SERVED.**

**SECTION 11** Person to Person Transfer:

Questions to be completed by CURRENT LICENSEE (Bars and Liquor Stores ONLY-Series 06,07, and 09).

1. Current Licensee's Name: \_\_\_\_\_ Entity: \_\_\_\_\_  
(Exactly as it appears on license) Last First Middle (Indiv., Agent, etc.)
2. Corporation/L.L.C. Name: \_\_\_\_\_  
(Exactly as it appears on license)
3. Current Business Name: \_\_\_\_\_  
(Exactly as it appears on license)
4. Physical Street Location of Business: Street \_\_\_\_\_  
City, State, Zip \_\_\_\_\_
5. License Type: \_\_\_\_\_ License Number: \_\_\_\_\_
6. If more than one license to be transferred: License Type: \_\_\_\_\_ License Number: \_\_\_\_\_
7. Current Mailing Address: \_\_\_\_\_  
(Other than business) Street \_\_\_\_\_  
City, State, Zip \_\_\_\_\_
8. Have all creditors, lien holders, interest holders, etc. been notified of this transfer? ☐ YES ☐ NO
9. Does the applicant intend to operate the business while this application is pending? ☐ YES ☐ NO If yes, complete Section 5 of this application, attach fee, and current license to this application.
10. I, \_\_\_\_\_, hereby authorize the department to process this application to transfer the  
(print full name)  
privilege of the license to the applicant, provided that all terms and conditions of sale are met. Based on the fulfillment of these conditions, I certify that the applicant now owns or will own the property rights of the license by the date of issue.
- I, \_\_\_\_\_, declare that I am the CURRENT OWNER, AGENT, MEMBER, PARTNER  
(print full name)  
STOCKHOLDER, or LICENSEE of the stated license. I have read the above Section 11 and confirm that all statements are true, correct, and complete.

\_\_\_\_\_  
(Signature of CURRENT LICENSEE)

State of \_\_\_\_\_ County of \_\_\_\_\_  
The foregoing instrument was acknowledged before me this

\_\_\_\_\_  
Day Month Year

\_\_\_\_\_  
(Signature of NOTARY PUBLIC)

My commission expires on: \_\_\_\_\_

**SECTION 12** Location to Location Transfer: (Bars and Liquor Stores ONLY) NA  
 APPLICANTS CANNOT OPERATE UNDER A LOCATION TRANSFER UNTIL IT IS APPROVED BY THE STATE

1. Current Business: Name \_\_\_\_\_  
 (Exactly as it appears on license) Address \_\_\_\_\_
2. New Business: Name \_\_\_\_\_  
 (Physical Street Location) Address \_\_\_\_\_
3. License Type: \_\_\_\_\_ License Number: \_\_\_\_\_
4. If more than one license to be transferred: License Type: \_\_\_\_\_ License Number: \_\_\_\_\_
5. What date do you plan to move? \_\_\_\_\_ What date do you plan to open? \_\_\_\_\_

**SECTION 13** Questions for all in-state applicants excluding those applying for government, hotel/motel, and restaurant licenses (series 5, 11, and 12):

R.S. § 4-207 (A) and (B) state that no retailer's license shall be issued for any premises which are at the time the license application is received by the director, within three hundred (300) horizontal feet of a church, within three hundred (300) horizontal feet of a public or private school building with kindergarten programs or grades one (1) through (12) or within three hundred (300) horizontal feet of a fenced recreational area adjacent to such school building. The above paragraph DOES NOT apply to:

- a) Restaurant license (§ 4-205.02)
- b) Hotel/motel license (§ 4-205.01)
- c) Government license (§ 4-205.03)
- d) Fenced playing area of a golf course (§ 4-207 (B)(5))

1. Distance to nearest school: 5300 ft. Name of school Sandpiper Elementary  
 Address 6724 E Hearn Rd Scottsdale AZ 85240  
 City, State, Zip
2. Distance to nearest church: 2640 ft. Name of church Scottsdale Bible Church  
 Address 15678 N. Greenway Hayden Loop  
Scottsdale City, State, Zip AZ 85240
3. I am the: ☒ Lessee ☐ Sublessee ☐ Owner ☐ Purchaser (of premises)
4. If the premises is leased give lessors: Name Pacific Scottsdale  
 Address 2201 E. Camelback Rd #650 Phoenix, AZ 85016  
 City, State, Zip
- 1a. Monthly rental/lease rate \$ 3,721.20 What is the remaining length of the lease 3 yrs. 6 mos. + 3, 5
- 1b. What is the penalty if the lease is not fulfilled? \$ \_\_\_\_\_ or other Yearly Eviction  
 (give details - attach additional sheet if necessary)
5. What is the total business indebtedness for this license/location excluding the lease? \$ 3,200,000  
 Please list lenders you owe money to.

Last	First	Middle	Amount Owed	Mailing Address	City State	Zip
Wells Fargo			<del>42,000,000</del> 3,200,000	877 W. Main St. Boise	ID	83700

(ATTACH ADDITIONAL SHEET IF NECESSARY)

6. What type of business will this license be used for (be specific)? Convenience store w/ Gas

## SECTION 13 - continued

7. Has a license or a transfer license for the premises on this application been denied by the state within the past one (1) year?

☐ YES ☒ NO If yes, attach explanation.

8. Does any spirituous liquor manufacturer, wholesaler, or employee have any interest in your business? ☐ YES ☒ NO

9. Is the premises currently licensed with a liquor license? ☒ YES ☐ NO If yes, give license number and licensee's name:

License # 10075580 (exactly as it appears on license) Name Danielle Sue Jabalera

## SECTION 14 Restaurant or hotel/motel license applicants:

1. Is there an existing restaurant or hotel/motel liquor license at the proposed location? ☐ YES ☒ NO

If yes, give the name of licensee, Agent or a company name:

\_\_\_\_\_ and license #: \_\_\_\_\_  
Last First Middle

2. If the answer to Question 1 is YES, you may qualify for an Interim Permit to operate while your application is pending; consult A.R.S. § 4-203.01; and complete SECTION 5 of this application.

3. All restaurant and hotel/motel applicants must complete a Restaurant Operation Plan (Form LIC0114) provided by the Department of Liquor Licenses and Control.

4. As stated in A.R.S. § 4-205.02.G.2, a restaurant is an establishment which derives at least 40 percent of its gross revenue from the sale of food. Gross revenue is the revenue derived from all sales of food and spirituous liquor on the licensed premises. By applying for this ☐ hotel/motel ☐ restaurant license, I certify that I understand that I must maintain a minimum of 40 percent food sales based on these definitions and have included the Restaurant Hotel/Motel Records Required for Audit (form LIC 1013) with this application.

\_\_\_\_\_  
applicant's signature

As stated in A.R.S. § 4-205.02 (B), I understand it is my responsibility to contact the Department of Liquor Licenses and Control to schedule an inspection when all tables and chairs are on site, kitchen equipment, and, if applicable, patio barriers are in place on the licensed premises. With the exception of the patio barriers, these items are not required to be properly installed for this inspection. Failure to schedule an inspection will delay issuance of the license. If you are not ready for your inspection 90 days after filing your application, please request an extension in writing, specify why the extension is necessary, and the new inspection date you are requesting. To schedule your site inspection visit [www.azliquor.gov](http://www.azliquor.gov) and click on the "Information" tab.

\_\_\_\_\_  
applicants initials

## SECTION 15 Diagram of Premises: (Blueprints not accepted, diagram must be on this form)

1. Check ALL boxes that apply to your business:

☒ Entrances/Exits  
☐ Service windows

☒ Liquor storage areas  
☐ Drive-in windows

Patio: ☐ Contiguous  
☐ Non Contiguous

2. Is your licensed premises currently closed due to construction, renovation, or redesign? ☐ YES ☒ NO  
If yes, what is your estimated opening date? \_\_\_\_\_

month/day/year

3. Restaurants and hotel/motel applicants are required to draw a detailed floor plan of the kitchen and dining areas including the locations of all kitchen equipment and dining furniture. Diagram paper is provided on page 7.

4. The diagram (a detailed floor plan) you provide is required to disclose only the area(s) where spiritous liquor is to be sold, served, consumed, dispensed, possessed, or stored on the premises unless it is a restaurant (see #3 above).

5. Provide the square footage or outside dimensions of the licensed premises. Please do not include non-licensed premises, such as parking lots, living quarters, etc.

As stated in A.R.S. § 4-207.01(B), I understand it is my responsibility to notify the Department of Liquor Licenses and Control when there are changes to boundaries, entrances, exits, added or deleted doors, windows or service windows, or increase or decrease to the square footage after submitting this initial drawing.

HH  
applicants initials

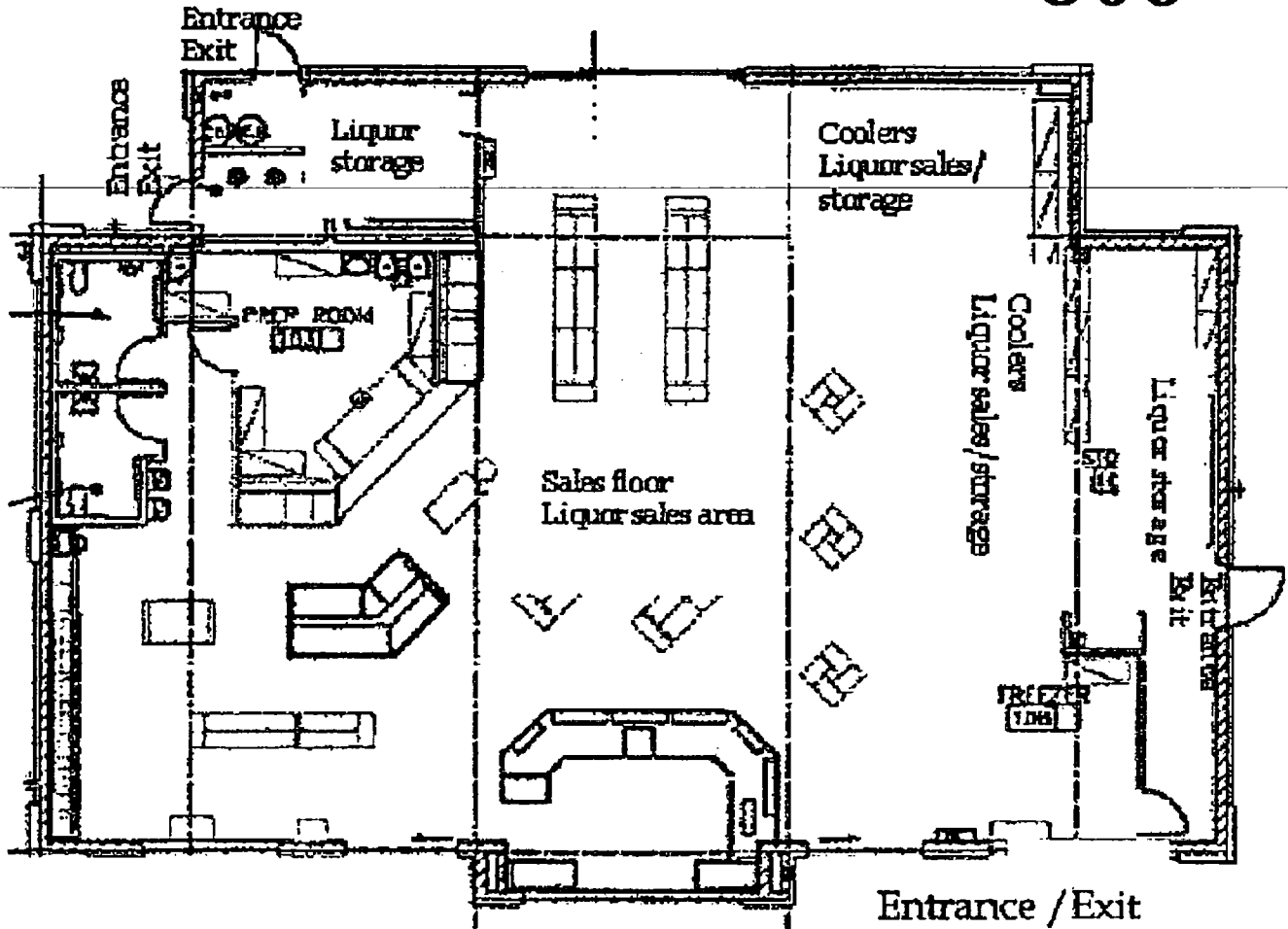
**SECTION 15** Diagram of Premises

4. In this diagram please show only the area where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored. It must show all entrances, exits, interior walls, bars, bar stools, hi-top tables, dining tables, dining chairs, the kitchen, dance floor, stage, and game room. Do not include parking lots, living quarters, etc. When completing diagram, North is up ↑.

If a legible copy of a rendering or drawing of your diagram of premises is attached to this

4000 sq ft

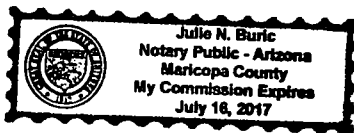
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**SECTION 16** Signature Block

I, Heather Anne Hendon, hereby declare that I am the OWNER/AGENT filing this application as stated in Section 4, Question 1. I have read this application and verify all statements to be true, correct and complete.

X Heather A Hendon  
(signature of applicant listed in Section 4, Question 1)



State of Arizona County of Maricopa

The foregoing instrument was acknowledged before me this

15 of August, 2014  
Day Month Year

My commission expires on: 16 07 2017  
Day Month Year

Julie N Buric  
signature of NOTARY PUBLIC